

information. A plurality of sellers 21a, 22a and a plurality of buyers 41a, 42a, may be approved for access to the host system 10. After a seller is approved for access to the system, the seller will communicate its basic information to the system that is common to the products and services to be listed on the system, and a template will be created. A similar process occurs for approved buyers (Col. 9, lines 1-64). The sellers' information is analyzed and assimilated into a buyers listing of products and services available through the host system. The buyer can review this listing and make purchase decisions based thereon. The buyer and seller may then be allowed to deal directly, or the host system may remain as an intermediary who conveys messages (Co. 10, lines 22-31).

Therefore, in Purcell, a host system 10 stores information about seller(s) and their products, as well as information about buyers. The host system makes a list of items available to the buyers. In Purcell, after a purchase decision is made by the buyer, the only involvement by the host system 10 may be as an intermediary who conveys messages. The stated purpose of the system of Purcell is "to provide a data base to which sellers and buyers have limited, but independent access for exchanging sales information" (Col. 6, lines 19-22).

Purcell does not disclose or remotely suggest Applicants' claimed method for providing electronic commerce and accounting services to organizations and service providers for offerings ordered by members of the organizations and delivered by the service providers, as claimed by Applicants.

With Applicants' claimed invention, members of the organization are provided with online access to a searchable database of service providers with associated offerings via an interactive communication network. The searchable database is maintained by an intermediary. The members can electronically select a service provider from the database, and then select offerings from the selected service provider. The members can then electronically communicate the selected offerings and billing information for payment of the selected offerings to the intermediary, which electronically stores the billing information. The offerings selected by the members are then electronically communicated from the intermediary to the selected service provider. A consolidated

invoice is then provided from the intermediary to an organization for a plurality of offerings ordered by a plurality of members of that organization during a predetermined time period from a plurality of service providers.

The Examiner has apparently equated the sellers 21a and 22a of Purcell with “organizations” as claimed by Applicants, and the buyers 41a and 42a of Purcell with “members” as claimed by Applicants (Office Action, page 2). In Applicants’ claimed invention, the members are members of the organization (e.g., employees of the organization). As discussed with the Examiner during a brief telephone conference on November 5, 2004, the buyers 41a and 42a shown in Figure 2 of Purcell are not disclosed as being “members” of the same organization. In particular, contrary to the Examiner’s assertions, in Purcell, the buyers 41a and 42a are not members (e.g., employees) of sellers 21a and 22a.

The Examiner further indicates that “To have provided a consolidated invoice from the intermediary to the organization would have been obvious to one of ordinary skill in the art” (Office Action, page 2). Applicants’ respectfully submit that it would not have been obvious to one skilled in the art to provide a consolidated invoice from the intermediary to an organization for a plurality of offerings ordered by a plurality of members of that organization during a predetermined time period from a plurality of service providers, as claimed by Applicants.

In particular, the intermediary claimed by Applicants is not simply providing a credit card bill, as is apparently assumed by the Examiner on page 3 of the Office Action. The intermediary claimed by Applicant not only provides the consolidated invoice, but also (1) provides the searchable database containing the service providers and their offerings which can be selected by the members, (2) receives the selected offerings and billing information from the members, (3) stores the billing information, and (4) communicates the offerings selected by the members to the selected service provider. These services provided by Applicants’ intermediary are not part of the typical credit card processing cycle. The Examiner has failed to cite any prior art or combination of

prior art that discloses an intermediary that provides all the functions claimed by Applicants.

Purcell does not discuss any type of invoicing from the host to the buyers. In fact, as discussed above, to the extent that the host remains involved once a purchase decision has been made by the buyer, the host may merely act as an intermediary for the sole purpose of conveying messages between the parties (Col. 10, lines 30-31).

Accordingly, the disclosure of Purcell is far removed from Applicants' claimed invention. Only with hindsight gained impermissibly from Applicants' disclosure could one of ordinary skill in the art have possibly arrived at the claimed invention from the disclosure of Purcell.

Applicants respectfully submit that the present invention would not have been obvious to one skilled in the art in view of Purcell, taken alone or in combination with any of the other prior art of record.

Further remarks regarding the asserted relationship between Applicants' claims and the prior art are not deemed necessary, in view of the foregoing discussion. Applicants' silence as to any of the Examiner's comments is not indicative of an acquiescence to the stated grounds of rejection.

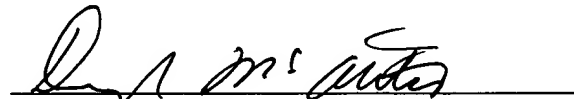
Withdrawal of the rejections under 35 U.S.C. § 103(a) is therefore respectfully requested.

Applicants respectfully request that the Examiner telephone Applicants' undersigned counsel prior to issuance of an Advisory Action or a further Office Action in the event that application is not in condition for allowance.

Conclusion

The Examiner is respectfully requested to reconsider this application, enter the present amendment, allow each of the pending claims and to pass this application on to an early issue. If there are any remaining issues that need to be addressed in order to place this application into condition for allowance, the Examiner is requested to telephone Applicants' undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Douglas M. McAllister", is written over a horizontal line.

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